

Attorney Docket No. 3177 P 408

PATENT

IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Stephen Alan Smith

Application No.: 10/826,968  
Confirmation No.: 1182  
Filed On: April 15, 2004

Examiner: Unassigned

Art Unit: 3727

For: Container Lid with Closure Member

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT  
PURSUANT TO 37 C.F.R. §§ 1.97 AND 1.98**

Dear Sir:

Applicants submit herewith Form PTO-1449, "Information Disclosure Statement," and a copy of each foreign and nonpatent reference listed therein.

Since this Statement is being filed within three (3) months of the filing date of this Application, no fee is necessary.

Please charge any additional fees associated with this Communication or credit any overpayment to our Deposit Account No. 23-0280. A duplicate copy of this paper is enclosed for that purpose.

Respectfully submitted,

Dated:

July 14, 2004

By:

Paul J. Nykaza

Paul J. Nykaza, Reg. No. 38,984  
Peter M. Siavelis, Reg. No. 51,136  
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311 South Wacker Drive, 53<sup>rd</sup> Floor  
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Attorneys for Applicant

**CERTIFICATE OF MAILING (37 C.F.R. § 1.8a)**

I hereby certify that this correspondence is, on the date shown below, being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner For Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

on

July 14, 2004

Gillian Gardner  
Gillian Gardner/204632



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Examiner Name: Unassigned  
Attorney Docket Number: 3177 P 408



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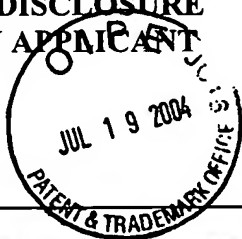


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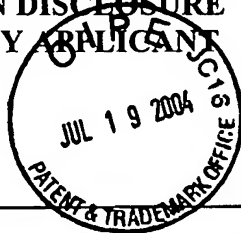


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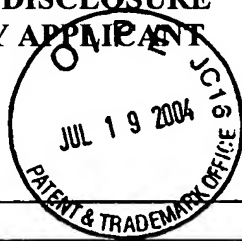


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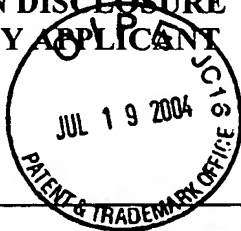
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**OTHER PRIOR ART OR NON-PATENT LITERATURE DOCUMENTS**

Examiner Initial	(including Author (in capital letters), Title of the article, Title of the item, Date, Pages, Volume-Issue number, Publisher, City and/or Country where published.)	T
	Copy of photograph of HotJo Ceramic Mug/Lid obtained through market research, April 2000.	
	Copy of photograph of Starbucks Cup/Lid obtained through market research, April 2000.	
	Copy of photograph of Super America Cup/Lid obtained through market research, April 2000.	
	Copy of photograph of Dunkin Donuts Cup/Lid obtained through market research, April 2000.	
	BERRINGTON, N., <i>International Search Report</i> , September 4, 2002, 6 pp., Patent Cooperation Treaty, Rijswijk, Netherlands.	
	Seven (7) color photographs showing different views of Whirley Thermo Mug/Lid obtained in February 2003.	

Examiner Signature:

Date Considered:

Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.